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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/069,367	02/19/2002	Mauro Costa	Costa 7-7-4-6	8132

7590 08/02/2004

Docket Administrator RM 3C 512  
Lucent Technologies Inc  
600 Mountain Avenue  
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Murray Hill, NJ 07974-0636

EXAMINER

NGUYEN, JOSEPH D

ART UNIT PAPER NUMBER

2683

DATE MAILED: 08/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/069,367

Applicant(s)

COSTA ET AL.

Examiner

Joseph D Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 19 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☒ Claim(s) 4-5 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 4.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Objections*

Claims 4-5 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claims 1-3. See MPEP § 608.01(n).

Accordingly, the claims 4-5 have not been further treated on the merits.

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-3 are rejected under 35 U.S.C. 102(e) as being anticipated by Persson et al. (6,052,589).

Regarding claim 1, Persson et al. discloses a packet switched network architecture having a first location area (LA11 fig. 9) supported by a first radio access network connected to a core network of a first functionality and a second location area (LA21 fig. 9) supported by a second radio access network connected to a core network of a second functionality (abstract, fig. 9, col. 17 lines 1-30), wherein at least a part of the first and second location areas overlap

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thereby defining a common location area (border between two networks) (fig. 9, col. 17 lines 1-30), and the terminals in the first and second location areas may have either one or both of a first and a second mode of operation corresponding to the first and second functionalities respectively (dual mode mobile unit) (fig. 4-9, col. 10 lines 27-41), characterized in that mobile terminals in the first location area having the second mode of operation may be connected by the first radio access network to a core network having the second functionality (fig. 4-9, col. 10 lines 27-41, and col. 17 lines 31-58).

Regarding claim 2, Persson et al. further discloses the packet switched network of claim 1 wherein the core networks are separate (fig. 3, col. 19 lines 53-63).

Regarding claim 3, Persson et al. further discloses the packet switched network of claim 1 or claim 2 wherein mobile terminals in the second location area having the first mode of operation may be connected by the second radio access network to a core network having the first functionality (fig. 9 col. 17 lines 1-45).

3. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Or faxed to:

703 308-9051, (for formal communication intended for entry)

Or:

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(703) 305-9509 (for informal or draft communications, please  
label "PROPOSED" OR "DRAFT")

Hand-delivered responses should be brought to Crystal Park II,  
2121 Crystal Drive, Arlington. VA. Sixth floor (Receptionist).

Any inquiry concerning this communication or earlier communications from  
the examiner should be directed to Joseph D Nguyen whose telephone number  
is (703) 605-1301. The examiner can normally be reached on 7:00 AM to 4:30  
PM.

If attempts to reach the examiner by telephone are unsuccessful, the  
examiner's supervisor, William Trost can be reached on (703) 308-5318. The fax  
phone numbers for the organization where this application or proceeding is  
assigned are (703) 872-9314 for regular communications and (703) 872-9314 for  
After Final communications.

Any inquiry of a general nature or relating to the status of this application  
or proceeding should be directed to the receptionist whose telephone number is  
(703) 306-0377.

Joseph Nguyen



Jul. 24, 2004



WILLIAM TROST  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600